

## **REMARKS / DISCUSSION OF ISSUES**

The present amendment is submitted in response to the Non-Final Office Action mailed March 9, 2011. In view of the amendments above and the remarks to follow, reconsideration and allowance of this application are respectfully requested.

### ***Status of the Claims***

Upon entry of the present amendment, claims 1-17 and 19-23 will remain pending in this application. Claim 1 has been amended. The claims are not believed to be narrowed in scope and no new matter is added.

### ***Interview Summary***

Applicants appreciate the courtesy granted to Applicant's attorney, Michael A. Scaturro (Reg. No. 51,356), during a telephonic interview conducted on Wednesday, May 25, 2011. During the telephonic interview, a proposed amendment to Claim 1 was presented. The proposed amendment was further revised in accordance with discussions conducted between the Examiner and Applicant's Attorney. It was generally agreed that the further proposed amendment appears to overcome the presently cited and applied art, however a further search is required.

### ***Rejections under 35 U.S.C. §112, second paragraph***

Claims 7 and 12 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The rejection of claim 7 is understood to be based on the premise that the limitation, "a first angle" does not include an explanation as to what the first angle represents or if it is a first angle to the normal or what reference points it's based off of, making the claim indefinite. Claim 7 has been amended in a manner which is believed to overcome the stated rejection.

The rejection of claim 12 is understood to be based on the premise that the limitation “lower resistance” does not state what it is lower than, and is therefore unclear. Claim 12 has been amended in a manner which is believed to overcome the stated rejection.

***Claim Rejections under 35 USC 102***

In the Office Action, Claims 1-3, 5-8 and 23 stand rejected under 35 U.S.C. §102 (b) as being anticipated by U.S. Patent Application No. 2002 / 0180672 (“Yamazaki”). Applicants respectfully traverse the rejections.

***Claims 1-3, 5-8 and 23 are allowable***

During the telephone interview conducted on May 25, 2011, it was generally agreed that Yamazaki does not teach claim 1 in accordance with the proposed amendment. Claim 1, as amended, is reproduced below, in clean form.

1. An active matrix display device comprising an array of display pixels, each pixel comprising:

a current-driven light emitting display element comprising an area of light emitting material sandwiched between electrodes;

a light-dependent device for detecting the brightness of the display element,

wherein the light-dependent device is located laterally outside of the area of the light emitting material defined by the vertical planar edges of the light emitting layer of the light emitting material, and separated from the light emitting material by at least one insulating layer,

wherein the vertical planar edges of the light emitting material are defined in a direction between a top and a bottom electrode of the light-dependent device [[and]]

**wherein the light dependent device is located in the same horizontal plane as the light emitting material of the light emitting display element, and**

**wherein the light dependent device is directly illuminated from light emitted from a side face of the light emitting display element, and travels in a horizontal plane from said light emitting display to said light dependent device,**

a drive transistor circuit for driving a current through the display element, wherein the drive transistor is controlled in response to the light-dependent device output.

Yamazaki discloses light emitted from an EL element that is irradiated to the side of a substrate on which TFTs are formed. More particularly, Fig. 14 of Yamazaki is an example of irradiating light emitted from an EL element to the opposite side of the substrate on which TFTs are formed. *See par. 226-227 of Yamazaki.* A two layer structure of a light emitting layer 656 and a hole injection layer 657 is taken as the EL layer in Fig. 14. An anode 658 is formed, as an opposing electrode. Patterning is performed, forming a reflecting plate 660 in a position such that light emitted by the EL element is reflected in the reflecting plate 660 and is made incident to a photoelectric converting layer 650 of a light receiving diode. Light is emitted from the EL element and is downwardly reflected off of the reflecting plate 660 and is made incident to the photoelectric converting layer 650 of the light receiving diode. As shown, the EL element and the light receiving diode are in different horizontal planes.

Based on the structure shown in Fig. 14 of Yamazaki, it is respectfully submitted that Yamazaki does not teach at least one element of Applicant's claim 1:

*wherein the light dependent device is located in the same horizontal plane as the light emitting material of the light emitting display element, and*

*wherein the light dependent device is directly illuminated from light emitted from a side face of the light emitting display element and travelling in a horizontal plane from said light emitting display to said light dependent device*

In Yamazaki, the illumination **is not direct** and **does not travel in a horizontal plane**. This is because even though light emitted from an EL element is irradiated to the side of a substrate on which TFTs are formed, the EL element and light receiving diode of Yamazaki are shown to be in different horizontal planes. That is, the EL element is shown to be situated above the light dependent device. As such, illumination emitted from the EL element is indirect (i.e., the light travels via

reflection from the light emitting display element, reflected off of the reflecting plate 660 to become incident to a photoelectric converting layer 650 of a light receiving diode. The light path is shown to never travel in a horizontal plane, as recited in Applicants claim 1. Moreover, **light is not emitted from a side face of the EL element of Yamazaki.**

Hence claim 1 is allowable. Claims 2-3, 5-8 and 23 depend from independent Claim 1, which Applicants have shown to be allowable. Accordingly, claims 2-3, 5-8 and 23 are also allowable, at least by virtue of their dependency from claim 1.

***Rejection under 35 USC 103***

***Claim 4 is allowable***

The Office has rejected claim 4 under 35 U.S.C. §103(a) as being unpatentable over Yamazaki in view of U.S. Patent No. 5,751,261 (“Zavaracky”). Applicants respectfully traverse the rejection.

As explained above, the cited portions of Yamazaki do not disclose or suggest each and every element of claim 1 from which claim 4 depends. Zavaracky does not disclose each of the elements of claim 1 that are not disclosed by Yamazaki. For example, the cited portions of Zavaracky fail to disclose or suggest at least,

*wherein the light dependent device is located in the same horizontal plane as the light emitting material of the light emitting display element, and*

*wherein the light dependent device is directly illuminated from light emitted from a side face of the light emitting display element and travels along in a horizontal plane from said light emitting display to said light dependent device*

as recited in claim 1. Zavaracky is merely cited for teaching a display comprising a photodiode wherein the top contact terminal extends over the top of the stack and down one side of the stack and acts as a light shield to pixels on the one side of the photodiode.

Thus, the cited portions of Yamazaki and Zavaracky, individually or in combination, do not disclose or suggest at least one element of claim 1. Hence claim 1 is allowable. Claim 4 depends from independent Claim 1 and therefore contains the limitations of Claim 1 and is believed to be in condition for allowance for at least the same reasons given for Claim 1 above. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) and allowance of Claim 4 is respectfully requested.

***Claims 9-14 are allowable***

The Office has rejected claims 9-14 under 35 U.S.C. §103(a) as being unpatentable over Yamazaki in view of Forrest and further in view of U.S. Patent Application No. 2001/0026125 ("Yamazaki 125"). Applicants respectfully traverse the rejections.

As explained above, the cited portions of Yamazaki and Forrest do not disclose or suggest each and every element of claim 1 from which claims 9-14. Yamazaki 125' does not disclose each of the elements of claim 1 that are not disclosed by Yamazaki and Forrest. For example, the cited portions of Yamazaki 125' fails to disclose or suggest,

*wherein the light dependent device is located in the same horizontal plane as the light emitting material of the light emitting display element, and*

*wherein the light dependent device is directly illuminated from light emitted from a side face of the light emitting display element and travelling in a horizontal plane from said light emitting display to said light dependent device*

as recited in claim 1.

Thus, the cited portions of Yamazaki, Forrest and Yamazaki 125', individually or in combination, do not disclose or suggest at least one element of claim 1. Hence claim 1 is

allowable. Claims 9-14 depend from independent Claim 1 and therefore contain the limitations of Claim 1 and are believed to be in condition for allowance for at least the same reasons given for Claim 1 above. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) and allowance of Claims 9-14 is respectfully requested.

***Claims 5-17 and 21-22 are allowable***

The Office has rejected claims 5-17 and 21-22 under 35 U.S.C. §103(a) as being unpatentable over Yamazaki in view of U.S. Patent Application No. 2003/0047736 (“Forrest”). Applicants respectfully traverse the rejections.

As explained above, the cited portions of Yamazaki do not disclose or suggest each and every element of claim 1 from which claims 5-17 and 21-22 depend. Forrest does not disclose each of the elements of claim 1 that are not disclosed by Yamazaki. For example, the cited portions of Forrest fail to disclose or suggest,

*wherein the light dependent device is located in the same horizontal plane as the light emitting material of the light emitting display element, and*

*wherein the light dependent device is directly illuminated from light emitted from a side face of the light emitting display element and travelling in a horizontal plane from said light emitting display to said light dependent device*

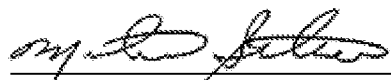
as recited in claim 1. Thus, the cited portions of Yamazaki and Forrest, individually or in combination, do not disclose or suggest at least one element of claim 1. Hence claim 1 is allowable. Claims 5-17 and 21-22 depend from independent Claim 1 and therefore contains the limitations of Claim 1 and is believed to be in condition for allowance for at least the same reasons given for Claim 1 above. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) and allowance of Claims 5-17 and 21-22 is respectfully requested.

### Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-17 and 19-23 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Mike Scaturro, Esq., Intellectual Property Counsel, Philips Electronics North America, at 516-414-2007.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael A. Scaturro", is written over a horizontal line.

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